



State of Utah

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ADDENDUM #3

Date: 27 November 2006

To: Consultants

From: Bill Bowen, Program Director, DFCM

Reference: USTAR @ the University of Utah
Neuroscience & Biomedical Research Technology Building

DFCM Project #: 06291750

Subject: **Addendum No. 3**

Pages: Addendum 3 page
Attachment - - Architects Licensing Act (excerpts) 1 page
Total Pages 4 pages

Note: *This Addendum shall be included as part of the Contract Documents. Items in this Addendum apply to all drawings and specification sections whether referenced or not involving the portion of the work added, deleted, modified, or otherwise addressed in the Addendum. Acknowledge receipt of this Addendum in your Management Plan. Failure to do so may subject the Consultant to disqualification.*

1.1 The following are discussion highlights from the Pre-Submittal Meeting held on November 17, 2006.

- 1.1.1 The most qualified team will be selected for programming, as established by the Selection Criteria.
- 1.1.2 The composition of “teams” is at the sole discretion of the lead consultant. The State, Agency nor Governing Authority participates in this process.
- 1.1.3 The programming completion date of July 1, 2007 is a “requested” date. The consultant’s schedule must accurately identify the time that they will require to provide programming services.
- 1.1.4 The Solicitation does NOT state that a DFCM Past Performance Rating will take precedence over non-DFCM project references.
- 1.1.5 The DFCM requested that the proposals be a single document; clear, concise and to the point, with all applicable information contained therein.

- 1.1.6 The proposal must include the Termination or Debarment Certification.
- 1.1.7 Short-listing will be an exercise that evaluates the written proposals against the Selection Criteria.
- 1.1.8 It is currently anticipated that interviews will last one (1) hour, with the method of presentation and representative participation at the discretion of the firm.
- 1.1.9 The selected programmer will work in concert with the previously selected master planner to site the facility.
- 1.1.10 The DFCM contacts are non-negotiable instruments. Selected programmer will be required to sign the contract as-is.
- 1.1.11 The DFCM emphasized that the objective of the current selection is to provide a comprehensive, complete, stand-alone program and this should not be viewed as partial exercise anticipating an award for design.
- 1.1.12 Current project delivery method is Design-Bid-Build. The State may utilize this method or exercise its right to pursue other project delivery methods.

1.2 ADDITIONS TO PROGRAM SOLICITATION:

- 1.2.1 The programming effort will include the details for a new Central Chilled Water Plant (CCWP), which at full capacity will be able to support an estimated 2,000,000 GSF of academic/research space. The first phase of this CCWP will be to serve the Neuroscience & Biomedical Research Technology Building. Subsequent phases will be built and brought online as development of the northeast campus takes place. The site location of the CCWP will be determined in concert with the Neuroscience & Biomedical Research Technology Building.
- 1.2.2 The programming effort will include the details for LEED certification, with the specific level of LEED to be determined during programming. The baseline will be to incorporate all applicable aspects of the State's "High Performance Building Standard".

1.3 QUESTIONS:

- 1.3.1 Is there a page limit? No, there is no page limit to the proposal.
- 1.3.2 Can we receive a copy of any site plans that may have already been considered? The DFCM has been informed that there is no relevant information available at this time.
- 1.3.3 Are there state guidelines or schedules for consulting fees? The State has fee guidelines for Design/CA services only. Programming fees are based on the scope, scale and complexity of the individual project, but typically fall within the industry standard guideline of 0.75% to 1.5% of the established construction costs.
- 1.3.4 The scoring of past performance has always been the wild card in making a proposal to DFCM. Can you specifically define how this score will be determined? For example, if past performance is worth 18 points, does that imply that the average score of current past performance would be multiplied by 3.6 ($5 \times 3.6 = 18$) to achieve the final score? The process described is the one that the DFCM generally encourages and attempts to enforce while acknowledging that Selection Committee members may want to infuse some level of subjectivity based on previous experience with the firm. As always, the DFCM endeavors to keep this to a minimum while creating consensus from the Committee.

- 1.3.5 Has DFCM and the University of Utah developed the budget for this project? Is so, what annual escalation percentage was used? Yes, a preliminary budget has been developed. Currently, the annual escalation = 15%.
- 1.3.6 What sites and facilities have been visited by the University of Utah representatives to gain insight into this project? The following locations have been visited and some may be revisited during programming.

University of California, San Francisco (Mission Bay)
University of California, Los Angeles
Stanford University
Arizona State University
Howard Hughes Institute, Washington D.C.
Massachusetts Institute of Technology
Harvard University
Princeton University
Vanderbilt University
University of Michigan
University of Texas Health Sciences, Dallas, TX

- 1.3.7 Has a list of spaces been developed for this project, and can that list be published for this solicitation? A list of general space requirements is included in the Solicitation. There is no other information available at this time.
- 1.3.8 Why short list 6 firms, it would be better to narrow the field to 3 firms. This would be better for not only the selection committee but also for the submitters. Refer to section 14 of the Solicitation for a short-listing explanation.
- 1.3.9 Has any preprogramming or feasibility studies been done by other architects for this project? The DFCM has been informed that there is no relevant information available at this time.
- 1.3.10 Under the Architects Licensing Act, Part 1 – General Provisions, in section 58-31-102 paragraph 6a, the state law states that facility programming is the “Practice of Architecture”. A Utah registered Architect must do facility Programming in the State of Utah. Could you please clarify this in your addendum? The Utah Annotated Code referred to is the Nurse Practice & Licensing Act. The Architects Licensing Act is Title 58 Chapter 03a. Reference the Attachment for excerpts. Refer to section 18 of the Solicitation for licensing requirements.

For additional information regarding business licensing, refer to the following website for the Department of Professional Licensing.

<http://dopl.utah.gov/>

Title 58 Chapter 03a - - Architects Licensing Act

58-03a-102 Definitions.

(6) (a) "Practice of architecture" means rendering or offering to render the following services in connection with the design, construction, enlargement, or alteration of a building or group of buildings, and the space within and surrounding such buildings:

- (i) planning;
- (ii) facility programming;
- (iii) preliminary studies;
- (iv) preparation of designs, drawings, and specifications;
- (v) preparation of technical submissions and coordination of any element of technical submissions prepared by others including, as appropriate and without limitation, professional engineers, and landscape **architects**; and
- (vi) administration of construction contracts.

58-03a-304 Exemptions from licensure.

(1) In addition to the exemptions from licensure in Section [58-1-307](#), the following may engage in the stated limited acts or practices without being licensed under this chapter:

(a) a person offering to render architectural services in this state when not licensed under this chapter if the person:

- (i) holds a current and valid architect license issued by a licensing authority recognized by rule by the division in collaboration with the board;
- (ii) discloses in writing to the potential client the fact that the architect:
 - (A) is not licensed in the state;
 - (B) may not provide architectural services in the state until the architect is licensed in the state; and
 - (C) that such condition may cause a delay in the ability of the architect to provide architectural services in the state;

(iii) notifies the division in writing of his intent to offer to render architectural services in the state; and

(iv) does not provide architectural services or engage in the practice of architecture in this state until licensed to do so;

(b) a person preparing a plan and specification for a one, two, three, or four-family residence not exceeding two stories in height, exclusive of basement;

(c) a person licensed to practice professional engineering under Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act, performing engineering or incidental architectural acts or practices that do not exceed the scope of the education and training of the person performing architecture;

(d) unlicensed employees, subordinates, associates, or drafters of a person licensed under this chapter while preparing plans and specifications under the supervision of an architect;

(e) a person preparing a plan or specification for, or supervising the alteration of or repair to, an existing building affecting an area not exceeding 3,000 square feet when structural elements of a building are not changed, such as foundations, beams, columns, and structural slabs, joists, bearing walls, and trusses; and

(f) an organization engaged in the practice of architecture, provided that:

- (i) the organization employs a principal; and
- (ii) all individuals employed by the organization, who are engaged in the practice of architecture, are licensed or exempt from licensure under this chapter.

(2) Nothing in this section shall be construed to restrict a draftsman from preparing plans for a client under the exemption provided in Subsection (1)(b) or taking those plans to a licensed architect for his review, approval, and subsequent fixing of the architect's seal to that set of plans if they meet the building code standards.

End of Addendum